

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 1**

**Item 0**

#### **Revenues**

Revenues

#### **Language:**

Page 2, line 7, strike "\$120,644,221)" and "\$30,716, 691" and "(\$89,927,530)" and insert,"(\$116,279,221)" and "\$37,966,691" and "(\$78,312,530)".

Page 2, line 9, strike "\$13,142,249,323" and "\$26,455,760,439" and insert "\$13,142,749,323" and "\$26,456,260,439".

Page 2, line 13, strike "\$314,323,678" and "\$711,631,100" and insert "\$316,323,678" and "\$713,631,100".

Page 2, line 16, strike "\$14,436,517,780" and "\$14,183,335,229" and "\$28,619,853,009" and insert "\$14,443,382,780" and "\$14,190,585,229" and "\$28,633,968,009".

Page 2, line 29, strike "\$34,683,360,991" and "\$31,550,360,979" and "\$66,233,721,970" and insert "\$34,690,225,991" and "\$31,557,610,979" and "\$66,247,836,970".

#### **Explanation:**

(This amendment increases general fund resources by \$14,115,000 to reflect the recommended amendments to House Bill 1500 as enrolled. There are no amendments to nongeneral fund resources.)

---

### **Amendment # 2**

**Item 90**

#### **Administration**

**FY 04-05**

**FY 05-06**

Department of Veterans Services

\$0

\$124,258 GF

#### **Language:**

Page 79, line 43, strike "\$2,348,948" and insert "\$2,473,206".

Page 80, line 20, strike "\$300,000" and insert "\$424,258".

#### **Explanation:**

(This amendment provides equipment, office supplies, training, and travel for new Veterans Service representatives approved during the 2005 General Assembly session. The funding allows support for the new statewide coverage guidelines stipulated in House Bill 2851. Previous staffing additions had depleted the resources to support these positions.)

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 3**

### **Item 125**

<b>Commerce and Trade</b>	<b>FY 04-05</b>	<b>FY 05-06</b>	
Department of Minority Business Enterprise	\$0	\$164,713	GF
	0.00	2.00	FTE

#### **Language:**

Page 111, line 5, unstrike "\$463,163".

Page 111, line 6, strike "\$298,450".

Page 112, after line 5, insert:

"C. Notwithstanding paragraph K of Item 107, the Governor shall determine an appropriate entity to perform all accounting, financial reporting, procurement, purchasing, personnel, payroll, and other nonprogram administrative functions for the Department of Minority Business Enterprise. Both agency directors shall certify to the State Comptroller that the systems, processes, and procedures are sufficient to provide each agency with adequate internal controls and comply with all applicable laws, rules, and regulations of the Commonwealth and any applicable federal grants or contracts. Should either agency director determine that a system, process, or procedure prevents them from fulfilling their programmatic mission, he shall document this concern in writing to the State Comptroller, who shall recommend changes, if any, to accommodate the concern. An interagency agreement shall be entered into by July 1, 2005, stipulating any payment to be made by the Department of Minority Business Enterprise for services rendered. Terms of such agreement are to be reflected in the budget bill submitted to the 2006 Session of the General Assembly."

#### **Explanation:**

(This amendment restores funding and positions for the Department of Minority Business Enterprise to enable the agency to fulfill its mission, address the findings of the recent disparity study, and to effectively implement the Small, Women- and Minority-owned (SWAM) business procurement initiative. This amendment also authorizes the Governor to determine an appropriate entity to provide administrative services for the Department of Minority Business Enterprise.)

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 4**

**Item 136**

#### **Education: Elementary and Secondary**

Department Of Education, Central Office  
Operations

Language

#### **Language:**

Page 126, line 15, strike "a new".

Page 126, line 15, after "of", insert "any renovations, additions, or new facility construction".

Page 126, line 16, strike "facility".

#### **Explanation:**

(This amendment allows existing facilities to be considered for the location of any consolidation of the schools for the deaf and the blind.)

---

### **Amendment # 5**

**Item 247**

#### **Education: Higher Education**

Virginia State University

Language

#### **Language:**

Page 235, after line 52, insert:

"F. The Director, Department of Planning and Budget, may transfer general fund appropriations from Items C-125.07 and C-125.09 to Item 247 as deemed appropriate to finance the upgrading of the university's campus network infrastructure and related administrative software to current information technology standards. Furthermore, the Director, Department of Planning and Budget, may increase the nongeneral fund appropriation in Item C-125.07 as necessary to offset the reduced general fund appropriation."

#### **Explanation:**

(This amendment allows the transfer of funding from two Virginia State University capital projects to the university's operating budget to begin the upgrade of the university's administrative automated system, which is close to operational failure. Without this funding, the university will have to raise tuition and fees to unacceptable levels to cover the costs of a new administrative automated system.)

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 6**

**Item 286**

#### **Finance**

Department of Taxation

Language

#### **Language:**

Page 268, line 44, strike "House Bill 2919" and insert "Senate Bill 1332".

#### **Explanation:**

(This amendment provides authority for the Department of Taxation to make tax incentive payments to small tobacco product manufacturers who do not participate in the 1998 Tobacco Master Settlement Agreement, pursuant to Senate Bill 1332 as passed by the 2005 Session of the General Assembly.)

---

### **Amendment # 7**

**Item 303**

#### **Health & Human Resources**

Department for the Aging

Language

#### **Language:**

Page 293, after line 48, insert:

"E. The Commissioner of the Department for the Aging shall use federal Fiscal Year 2005 percentages to distribute federal Fiscal Year 2006 Older Americans Act and state general fund appropriations. The Commissioner of the Department for the Aging shall forthwith convene a task force to discuss, evaluate, and make recommendations no later than September 15, 2005, concerning future distribution of Older Americans Act and state general fund appropriations. The Commissioner shall report to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by October 1, 2005, on an Intrastate Funding Formula for the distribution of federal Fiscal Year 2007 Older Americans Act and state general fund appropriations."

#### **Explanation:**

(This amendment adds language allowing the existing formula used to distribute federal Older Americans Act funding to Area Agencies on Aging (AAAs) to remain in place until the impact of the 2000 census can be evaluated in cooperation with the AAAs. Fiscal year 2006 budgets are in place for most agencies. Changing the distribution formula at this time would disrupt services.)

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 8**

**Item 310**

#### **Health & Human Resources**

Department of Health

Language

#### **Language:**

Page 299, after line 10, insert:

"F. The requirement for testing of tuberculosis isolates set out in § 32.1-50.1.E of the Code of Virginia shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health."

#### **Explanation:**

(This amendment provides language that directs the Virginia Department of Health to submit tuberculosis samples to the Division of Consolidated Laboratory Services for disease strain analysis. Language is necessary to mandate sample submissions instead of reports permitted by Code. Without actual samples, the agencies are hampered in the management of drug resistant cases and do not have the ability to conduct DNA typing to track the method of spread.)

---

### **Amendment # 9**

**Item 326**

#### **Health & Human Resources**

Department Of Medical Assistance Services

Language

#### **Language:**

Page 337, line 23, after "render", strike "a", and insert "an informal fact-finding conference".

Page 337, line 31, strike "determination".

Page 337, line 36, strike "determination of".

Page 337, line 39, strike "determination".

#### **Explanation:**

(This amendment makes technical corrections to clarify the process for appeals decisions to collect overpayments to health care providers. It ensures that the informal fact-finding conference decision and not the director's final agency case decision must be rendered in 180 days before an overpayment decision is deemed in favor of the provider. The language will also eliminate the term "determination" to avoid confusion with the definition of an "agency case decision.")

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 10**

**Item 378**

#### **Natural Resources**

Secretary of Natural Resources

Language

#### **Language:**

Page 380, after line 6, insert:

"D. The Director, Department of Planning and Budget, is authorized to transfer the appropriation for the Virginia Council on Indians in Item 531 of this act to this Item."

#### **Explanation:**

(This amendment authorizes the Director of the Department of Planning and Budget to move funding for the Council on Indians from State Grants to Nonstate Agencies to the Office of the Secretary of Natural Resources. In the 2004 Session, the General Assembly enacted legislation placing responsibility for the Council with the Secretary of Natural Resources. A portion of the appropriation for the Council is already included in the Secretary's budget.)

---

### **Amendment # 11**

**Item 397**

#### **Natural Resources**

Department of Historic Resources

Language

#### **Language:**

Page 399, after line 25, insert:

"G. The Department of Historic Resources shall collaborate with the U.S. Department of Defense regarding historic review of military installation projects, including those projects undertaken in response to Base Realignment and Closure (BRAC). The Department of Historic Resources shall allocate resources as necessary to ensure that all such historic review projects are administered as efficiently as possible."

#### **Explanation:**

(This amendment provides for enhanced collaboration between the Department of Historic Resources and the U.S. Department of Defense to ensure efficient historic review of military installation projects, including those projects undertaken in response to Base Realignment and Closure (BRAC).)

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 12**

**Item 436**

#### **Public Safety**

Department of Fire Programs

Language

#### **Language:**

Page 431, line 46, before "1." insert "A."

Page 432, after line 14, insert:

"B. Notwithstanding any other references in the Code of Virginia, the Virginia Fire Services Board is hereby authorized to increase the minimum levels of funding for counties, cities, and towns as revenues increase."

#### **Explanation:**

(This amendment allows the Virginia Fire Services Board to increase the minimum payment that each locality must receive under the Fire Programs Fund. Currently, state statute authorizes the Board to provide a minimum amount of aid of \$4,000 for towns and \$10,000 for cities and counties. In 2001, the Office of the Attorney General advised the Board that it had the power to increase these minimums to \$6,000 and \$12,000, respectively, given increases in revenues. However, a more recent ruling from the Office of the Attorney General states that the Board cannot pay these higher amounts without additional legislative authority. This amendment would authorize the Board to continue providing aid payments at the higher minimums until the Code of Virginia is amended.)

---

### **Amendment # 13**

**Item 454**

#### **Public Safety**

Department of State Police

**FY 04-05**

0.00

**FY 05-06**

(5.00) FTE

#### **Language:**

Page 441, strike lines 21 through 25.

Page 441, line 26, strike "E." and insert "D."

#### **Explanation:**

(This amendment restores the transfer of the Virginia Criminal Information Network and five positions from the State Police to the Virginia Information Technologies Agency (VITA). Greater efficiencies, particularly in terms of resources such as technical personnel, hardware, and software, will be achieved by consolidating this information technology-based program within VITA. This transfer is consistent with the VITA enabling legislation passed by the 2003 session of the General Assembly.)

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 14**

**Item 463**

#### **Technology**

Virginia Information Technologies Agency

Language

#### **Language:**

Page 450, strike lines 28 through 47.

#### **Explanation:**

(This amendment removes the requirement for the Virginia Information Technologies Agency (VITA) to increase the rates it charges state agencies in order to recover \$6.1 million in start-up costs provided to VITA. Such repayments, some of which cannot be charged to the federal government, would have represented a budget cut to state agencies.)

---

### **Amendment # 15**

**Item 469**

#### **Transportation**

Secretary of Transportation

Language

#### **Language:**

Page 458, line 30, strike " +/- acres of Fulton Bottom property", and insert:

"acres, more or less, of the property commonly known as the Fulton Bottom property, including all buildings, structures, and appurtenances attached thereto".

Page 458, line 31, strike "the City of Richmond" and insert "Henrico County".

Page 458, line 33, strike "+/- acres", and insert, "acres, more or less,".

#### **Explanation:**

(This amendment, based on the recommendation of the Office of the Attorney General, clarifies language authorizing the exchange of state-owned property in Henrico County with Lehigh Cement Company for property in the City of Richmond owned by the private company. This exchange will enable the company to move out of a flood plain and build a new \$5 million plant. The exchange will also benefit the state by providing property important to the development of the Virginia Capital Trail. The proposed changes identify the property more precisely.)

---



## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 16**

**Item 482**

#### **Transportation**

Department of Rail and Public Transportation

Language

#### **Language:**

Page 465, line 36, after "Item 493.10" strike "in the".

Page 465, line 37, strike "second year".

#### **Explanation:**

(This amendment provides flexibility regarding the fiscal year in which additional funding for mass transit projects shall be transferred to the Department of Rail and Public Transportation. This amendment is a companion to an amendment proposed for Item 493.10 and will help ensure successful implementation of the 2005 Transportation Initiative.)

---

### **Amendment # 17**

**Item 488**

#### **Transportation**

Department of Transportation

Language

#### **Language:**

Page 472, line 42, strike "parcels".

Page 472, line 43, strike "directly applicable" and insert "applied".

Page 472, line 44, strike "that provided the original funding", and insert "where the residue property is located".

Page 472, line 47, strike "Title 33.1", and insert "§ 33.1-23.1".

#### **Explanation:**

(This amendment incorporates recommendations of the Office of Attorney General that clarify language authorizing the Virginia Department of Transportation (VDOT) to apply the proceeds from the sale of residue property to projects in the system and locality in which the residue property is located. Without these changes, it is not clear that VDOT will have the authority to apply the proceeds from the sale of residue property to the appropriate locality, as intended under the original language.)

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 18**

**Item 491**

#### **Transportation**

Department of Transportation

Language

#### **Language:**

Page 474, line 39, after "\$23,600,000" strike "the second".

Page 474, line 40, strike "year".

#### **Explanation:**

(This amendment provides flexibility to the Department of Transportation in transferring funds to the new Transportation Partnership Opportunity Fund. This amendment is a companion to an amendment proposed for Item 493.10 and will help ensure successful implementation of the 2005 Transportation Initiative.)

---

### **Amendment # 19**

**Item 492**

#### **Transportation**

Department of Transportation

Language

#### **Language:**

Page 475, line 45, strike "2006" and insert "2007".

#### **Explanation:**

(This amendment extends the period of eligibility for projects for the Local Partnership Program by one year, to ensure full utilization of the funds. The General Assembly has directed that the funds in this program are to be used as incentives for local governments to assume the responsibility for the management and administration of the design, acquisition, and construction of all non-interstate transportation facilities within their boundaries.)

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 20**

**Item 492**

#### **Transportation**

Department of Transportation

Language

#### **Language:**

Page 475, line 32, after "\$40,000,000" strike "the second year from".

Page 475, line 33, strike "nongeneral funds".

#### **Explanation:**

(This amendment provides flexibility to the Virginia Department of Transportation to determine the fiscal year and funding source for the new Local Partnership Program. This amendment is a companion to an amendment proposed for Item 493.10 and will help ensure successful implementation of the 2005 Transportation Initiative.)

---

### **Amendment # 21**

**Item 493.10**

#### **Transportation**

Department of Transportation

Language

#### **Language:**

Page 481, line 29, after "2005", strike ". This amount shall", and insert:

"and shall be allocated by the Commonwealth Transportation Board for the purposes detailed below.

Out of this appropriation, \$240,000,000 in the first year from the general fund shall be used for the purposes of this item as outlined in paragraphs 2 through 11 below."

Page 481, strike lines 30 through 32.

Page 481, line 38, after "appropriation," strike "\$220,000,000 from the", and insert "\$256,400,000".

Page 481, strike lines 39 through 40.

Page 481, line 47, after "\$50,000,000" strike "from the".

Page 481, strike line 48.

Page 482, line 6, after "appropriation," strike "\$20,000,000 the first year", and insert "\$75,000,000 is".

Page 482, strike lines 7 and 8.

Page 482, line 16, after "\$97,400,000" strike "the second".

Page 482, line 17, strike "year".

Page 482, line 21, after "\$20,000,000" strike "in the second".

Page 482, strike line 22.

Page 482, line 33, after "\$2,400,000" strike "in the second".

## ***Governor's 2005 Reconvened Session Amendments***

Page 482, strike line 34.

Page 482, strike line 53.

Page 482, line 54, strike "Transportation Fund".

Page 483, line 4, after "\$40,000,000" strike "the second" and insert "is".

Page 483, strike line 5.

Page 483, line 12, after "\$141,100,000" strike "the second".

Page 483, strike line 13.

### **Explanation:**

(This amendment provides flexibility to the Virginia Department of Transportation regarding the funding source and distribution of funding between fiscal years in implementing the various components of the transportation initiative. Without this language, about \$84 million in federal funds freed up by eliminating project deficits will be severely restricted in their use. Allowing the flexibility among funding sources will ensure that new highway funding is fairly distributed among the interstate, primary, urban, and secondary systems. The total dollar and programmatic goals established by the General Assembly are not affected.)

---

## **Amendment # 22**

## **Item 493.10**

### **Transportation**

Department of Transportation

Language

### **Language:**

Page 482, line 32, after "corridors." insert:

"The Commonwealth Transportation Board may also consider funding the repair, improvement, construction, or replacement of welcome centers and rest stops on Interstate 81."

### **Explanation:**

(This amendment allows the Commonwealth Transportation Board to consider the needs of Route I-81 rest stops when determining the use of \$20 million in additional funding provided in the budget for rest stop and welcome center improvements. Presently, language gives priority for funding only to the I-95 and I-64 corridors.)

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 23**

### **Item 506**

<b>Central Appropriations</b>	<b>FY 04-05</b>	<b>FY 05-06</b>
Central Appropriations	\$3,200,000	\$12,611,250 GF

#### **Language:**

Page 503, line 10, after "Economic Contingency" insert "and Unallocated Amounts".

Page 503, line 11, strike "\$24,199,555" and insert "\$27,399,555".

Page 503, line 11, strike "\$23,905,365" and insert "\$36,516,615".

Page 504, line 42, after "programs." insert;

"In accordance with Chapter 655 of the Acts of Assembly of 2005, the Commonwealth Transportation Board is authorized to provide funding for state road improvements for the State Fair of Virginia to address costs beyond the funding capability of existing programs and private contributions."

Page 505, line 22, strike "\$890,000" and insert "\$900,000".

Page 506, line 55, after "N." insert "1."

Page 507, after line 5 insert:

"2. Out of this appropriation, \$100,000 the second year from the general fund is designated for the Grace E. Harris Leadership Institute at Virginia Commonwealth University's Center for Public Policy to provide training for the development of aspiring leaders. "

Page 507, line 23, after "Q." insert "1."

Page 507, after line 27, insert:

"2. Out of this appropriation, \$3,200,000 the first year from the general fund shall be provided to the Virginia Biotechnology Research Park Authority to compensate the Authority for land acquisition and related costs pursuant to economic development activity."

Page 507, strike lines 31 through 37.

Page 507, after line 37 insert:

"S.1. Notwithstanding the provisions of paragraph A of Item 64 and paragraph Q of Item 505 of this act, the base salary and related employee benefits of sheriffs, deputy sheriffs, and regional jail officers shall be increased by 4.4 percent on December 1, 2005.

2. Notwithstanding the provisions of paragraph Q of Item 505 of this act, the base salary and related employee benefits of sworn officers of the Virginia Department of State Police who have five years or more of continuous state service, and sworn officers and communications operators of the Division of Capitol Police, who have five years or more of continuous state service, shall be increased by \$50 for each full year of service effective November 25, 2005. The Department of Human Resource Management shall develop guidelines and procedures for implementation of this compensation adjustment.

## ***Governor's 2005 Reconvened Session Amendments***

3. Notwithstanding the provisions of paragraph Q of Item 505 of this act, the base salary and related employee benefits of the Superintendent of State Police and the Chief, Division of Capitol Police, shall be increased by 4.4 percent on November 25, 2005.

T. Out of this appropriation, \$350,220 the second year from the general fund is designated to pay the employee share of the \$250,000 service members' group life insurance premium for all deployed Virginia National Guard soldiers. The Secretary of Finance, in cooperation with the Secretary of Public Safety, shall develop guidelines for administering the premium payments.

U. Out of this appropriation, \$1,453,288 the second year from the general fund is designated to reimburse school divisions and community colleges for career and technical training, testing, and certification costs. The objective of the funding is to increase the number of high school students working toward and achieving certifications that will expand their employment opportunities and meet local industry needs.

V. Out of this appropriation, \$5,100,000 the second year from the general fund shall be provided to support rural and cultural economic development and tourism activities. The funding may be used for, but is not limited to: regional consortium grants in distressed regions of the state; a New Virginia Trails program; an artisan network organization; a Virginia Artisan Trail; at least one additional regional artisan center; the Virginia Small Manufacturing Assistance Program; acquisition and redevelopment of closed industrial sites in rural areas of Virginia; and further development of the rails to trails network in Southside Virginia. The Governor is authorized to transfer to the appropriate agencies such amounts as are necessary to provide for this support, however, he shall report in writing on the specific use of any allocation of this funding to the Chairmen of the House Appropriations Committee and the Senate Finance Committee prior to the actual distribution or disbursement of the funds from this item.

W.1. Out of this appropriation, \$1,172,020 the second year from the general fund is included for the purpose of establishing a state funded incentive program to maximize federal school nutrition revenues and increase student participation in the school breakfast program. These funds are available to any school division as a reimbursement for breakfast meals served that are in excess of the baseline established by the Department of Education. The per meal reimbursement shall be \$0.20; however, the Department is authorized to reduce this amount proportionately in the event that the actual number of meals to be reimbursed exceeds the number on which this appropriation is based so that this appropriation is not exceeded.

2. In order to receive these funds, school divisions must certify that these funds will be used to supplement existing funds provided by the local governing body and that local funds derived from sources that are not generated by the school nutrition programs have not been reduced or eliminated. The funds shall be used to improve student participation in the school breakfast program. These efforts may include, but are not limited to, reducing the per meal price paid by students, reducing competitive food sales in order to improve the quality of nutritional offerings in schools, increasing access to the school breakfast program, or providing programs to increase parent and student knowledge of good nutritional practices. In no event shall these funds be used to reduce local tax revenues below the level appropriated to school nutrition programs in the prior year. Further, these

## *Governor's 2005 Reconvened Session Amendments*

funds must be provided to the school nutrition programs and may not be used for any other school purpose.

X. Out of this appropriation \$1,450,000 the second year from the general fund shall be provided to expand activities associated with the Virginia Modeling, Analysis and Simulation Center. The funding may be used to provide for additional faculty, high-speed data communications connections, development of modeling and simulation training programs, enlarged facilities, and related efforts, connected to homeland security and crisis management. The Governor shall report in writing on the specific use of any allocation of this funding to the Chairmen of the House of Appropriations Committee and the Senate Finance Committee prior to the actual distribution or disbursement of the funds from this item.

Y.1. The State Comptroller shall revert an unexpended general fund appropriation, estimated at \$4,000,000, in the Treasury Board on June 30, 2005 representing anticipated savings in fiscal year 2005 debt service costs, and an unexpended general fund appropriation, estimated at \$750,000, in the Treasury Board on June 30, 2006 representing anticipated savings in fiscal year 2006 debt service costs.

2. The State Comptroller shall revert an unexpended general fund appropriation estimated at \$6,500,000, in Item 326 on June 30, 2006, representing anticipated savings resulting from additional monies collected in the Virginia Health Care Fund and used to fund Medicaid expenditures.

Z. Notwithstanding the provisions of §58.1-608.3B.(v), Code of Virginia, any municipality which has issued bonds on or after July 1, 2001, but before July 1, 2006, to pay the cost, or portion thereof, of any public facility pursuant to §58.1-608.3, Code of Virginia, shall be entitled to all sales tax revenues generated by transactions taking place in such public facility.”

### **Explanation:**

(This amendment adds \$15.8 million from the general fund to Item 506 in the Central Appropriations section of the enrolled budget, which contains \$48.1 million in general fund appropriations for several distinct activities and purposes. In the enrolled budget, Item 506 includes funds for the Governor's Development Opportunity Fund, postsecondary education opportunities in Southside Virginia, the microelectronic endowment at Virginia Commonwealth University, the Virginia Horse Center, rent and telecommunication increases for state agencies, review of the enterprise-wide technology PPEIA proposals, legal defense, and dredging of the Appomattox River.

The additional funding provided in this amendment to Item 506 includes: \$3.0 million for compression pay for State Police officers, Capitol Police, sheriffs, and deputy sheriffs; \$350,220 for the employee cost of life insurance premiums for Virginia National Guard soldiers deployed to combat zones; \$5.1 million for rural and cultural economic development activities and tourism enhancements; \$3.2 million for land acquisition and related costs at the Virginia Biotechnology Research Park; \$1.5 million to expand the operations and related activities of the Virginia Modeling, Analysis and Simulation Center; \$1.4 million to pay for career and technical training as well as vocational testing and certification costs; \$1.2 million to maximize the receipt of federal funds for school nutrition; \$100,000 to provide for leadership training and development of aspiring leaders; and \$10,000 in additional funding for the Virginia Horse Center Foundation. Key amounts are detailed below.

## ***Governor's 2005 Reconvened Session Amendments***

***Compression Pay for State Police, Capitol Police, sheriffs, and deputy sheriffs.*** Additional funding totaling \$3.0 million is provided to increase the salaries of State Police, Capitol Police, sheriffs, and deputy sheriffs, to support salary increases comparable to those provided to other employees.

***Life insurance premiums for deployed members of the Virginia National Guard.*** Funding (\$350,000) is provided to pay the military life insurance premium for all Virginia National Guard soldiers deployed as part of Operation Enduring Freedom, Operation Noble Eagle, or Operation Iraqi Freedom. Currently, Guard members must pay out-of-pocket the premiums on life insurance policies up to \$250,000. This action ensures that the coverage is provided to every soldier, and that every soldier's family is protected financially.

***Support for the Virginia Modeling, Analysis and Simulation Center.*** Virginia is well-positioned to take advantage of dramatic growth in the use of modeling and simulation in defense, homeland security, and other areas. Funding is provided to strengthen the activities of the Virginia Modeling, Analysis and Simulation Center at Old Dominion University, which is the focal point of Virginia's activity. The \$1.45 million recommended will support focused research efforts and collaborative projects with the U.S. Joint Forces Command headquartered in Norfolk.

***Support for rural and cultural economic development and tourism.*** Additional funding of \$5.1 million is provided to support rural and cultural economic development and tourism. Funding is focused on boosting tourism, providing regional grants to support identified workforce training requirements of existing businesses in distressed regions, and providing funds to assist localities in acquiring and developing closed industrial sites. Language requires a spending plan be submitted before the funding is committed.

***Support to maximize federal revenue for the school nutrition program.*** Funding (\$1.2 million) is included in the Item to provide a 20-cent reimbursement incentive available only to schools which increase the number of breakfasts served. Local divisions may not use this additional state support to supplant funds they are already spending on nutrition programs. This additional state support will provide a return of up to 6 to 1 in federal funding for every state dollar spent.

***Career and technical training, testing, and certification.*** Additional funding of \$1.5 million is provided in the amendment to encourage high school students who are not college-bound to continue working toward high school graduation and pursue technical training for an industry certification. The amendment provides funding to public schools and community colleges to pay the cost of training and testing which leads to industry certification in specific trades.

This amendment also makes certain language changes to facilitate improvements to State Route 30 for the Virginia State Fair; to clarify the use of sales tax monies collected by a public facility in Salem pursuant to §58.1-608.3, Code of Virginia; to provide grant, rather than loan funding for dredging the Appomattox River; and to capture anticipated savings in debt service and health care costs.)

---



## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 24**

**Item 531**

#### **Nonstate Entities**

State Grants To Nonstate Entities-Nonstate  
Agencies

**FY 04-05**

\$25,000

**FY 05-06**

\$3,475,000 GF

#### **Language:**

Page 520, line 4, strike "\$0" and insert "\$25,000".

Page 520, line 4, strike "\$30,644,749" and insert "\$34,119,749".

Page 520, line 13, after "outlay", strike "." and insert, " and shall provide a statement describing the organization's or entity's economic benefit to the Commonwealth in terms of visitation, payroll, or other economic contributions."

Page 520, line 38, after "to", insert "each of".

Page 520, line 39, strike "for the purposes described" and insert, "subject to the conditions set forth".

Page 520, line 40, after "A.", strike "and" and insert ",".

Page 520, line 40, after "B." insert ", and C."

Page 520, after line 42, insert;

"Air Force Museum Foundation 0 100,000".

Page 520, line 46, strike "2,250,000" and insert, "2,430,000".

Page 521, after line 11, insert;

"Celebrating Special Children, Inc. 0 75,000".

Page 521, line 18, strike "500,000" and insert, "540,000".

Page 521, line 38, strike "500,000" and insert, "520,000".

Page 521, after line 51, insert;

"Harrison Museum for African American Culture 0 50,000".

Page 522, line 10, strike "400,000" and insert, "430,000".

Page 522, line 14, strike "600,000" and insert, "640,000".

Page 522, line 23, strike "350,000" and insert, "380,000".

Page 522, line 35, strike "250,000" and insert, "270,000".

Page 522, line 51, strike "125,000" and insert, "135,000".

Page 522, line 60, strike "200,000" and insert, "350,000".

Page 522, line 64, strike "450,000" and insert "480,000".

Page 523, after line 2, insert;

"St. Mary's Health Wagon 0 25,000".

Page 523, line 3, strike "350,000" and insert, "380,000".

Page 523, line 8, strike "1,000,000" and insert, "1,090,000".

Page 523, line 16, strike "1,400,000" and insert, "1,490,000".

Page 523, line 21, strike "1,000,000" and insert, "1,040,000".

Page 523, line 22, strike "250,000" and insert, "270,000".

Page 523, line 23, strike "500,000" and insert, "540,000".

Page 523, after line 24, insert;

"Virginia Economic Bridge, Inc. 25,000 75,000".

## ***Governor's 2005 Reconvened Session Amendments***

Page 523, line 27, strike "1,400,000" and insert, "1,490,000".  
Page 523, line 30, strike "6,500,000" and insert "8,500,000".  
Page 523, line 45, strike "1,500,000" and insert, "1,570,000".  
Page 523, line 46, strike "1,250,000" and insert, "1,380,000".  
Page 523, line 48, strike "\$0" and insert, "\$25,000".  
Page 523, line 48, strike "\$30,644,749" and insert, "\$34,119,749".  
Page 523, line 50, strike "\$0" and insert, "\$25,000".  
Page 523, line 50, strike "\$30,644,749" and insert, "\$34,119,749".

### **Explanation:**

(This amendment recognizes the economic development and tourism stimulus provided by various nonstate agencies across the Commonwealth and requires each to describe its economic benefit to the state within its application for state funds. This amendment also increases the funding level of certain entities and organizations previously approved for funding by \$3.1 million and adds \$350,000 for five additional entities not included in the enrolled budget bill.)

---

### **Amendment # 25**

### **Item C-1**

#### **Administration**

Department of General Services

#### **FY 04-05**

(\$507,000)

\$507,000

#### **FY 05-06**

\$0 GF

\$0 NGF

### **Language:**

Page 529, after line 30, insert:

"Debt Service \$507,000 \$0".

Page 529, line 32, insert "1." preceding "Out".

Page 529, line 32, strike "\$625,000" and insert "\$118,000".

Page 529, line 33, after "general fund," insert "and \$507,000 the first year from excess proceeds of the Virginia Public Building Authority".

Page 529, after line 34, insert:

"2. The source of funds for the debt service appropriation in this Item shall be excess proceeds of the Virginia Public Building Authority. The Governor shall authorize the use of such funds for this project upon certification to him by the Virginia Public Building Authority that an arbitrage rebate liability calculation has been completed, an affirmative opinion of bond counsel has been received, and excess bond proceeds of the Authority are available."

### **Explanation:**

(This amendment provides known Virginia Public Building Authority excess proceeds to supplant general fund dollars in the first year for the replacement of the failed chiller in the General Assembly Office Building. Language provides the technical authority necessary to access the funds. The scope and timing of the project are not affected.)

---

*Governor's 2005 Reconvened Session Amendments*

**Amendment # 26**

**Item C-190**

**Transportation**

Virginia Port Authority

Language

**Language:**

Page 589, line 31, after the second "Improvements" strike "and Land Acquisition for" and insert "to".

Page 589, line 32, after "South" insert ", land acquisition, and other improvements to port facilities".

**Explanation:**

(This amendment conforms the project to the description included in the operating section of the enrolled bill and allows the purchase of additional land parcels at Portsmouth Marine Terminal and Norfolk International Terminal - North and improvements to each. The language change is necessary to allow the use of savings from the Norfolk International Terminal - South project on both the Portsmouth Marine Terminal and Norfolk International Terminal - North projects.)

---

**Amendment # 27**

**Item 3-1.01**

**Transfers**

Interfund Transfers

Language

**Language:**

Page 613, after line 3, insert:

"NN. On or before June 30, 2005, the State Comptroller shall transfer to the general fund from the Contract Prisoners Special Fund, as established in Item 420 of this act, an amount estimated at \$2,000,000."

**Explanation:**

(This amendment transfers out-of-state-inmate revenue balances to the general fund.)

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 28**

**Item 4-4.01**

#### **Capital Projects**

General

Language

#### **Language:**

Page 630, line 10, strike " Education" and insert " Administration".

#### **Explanation:**

(This amendment makes a technical correction to reflect the Secretary of Administration, instead of the Secretary of Education, as the official that approves the delegation of authority for nongeneral fund capital outlay projects, in accordance with Senate Bill 1327/ House Bill 2866.)

---

### **Amendment # 29**

**Item 4-4.01**

#### **Capital Projects**

General

Language

#### **Language:**

Page 632, line 2, after "process." insert "However, energy performance projects underway before July 1, 2005, shall continue to be treated as operating expenses.".

#### **Explanation:**

(This amendment provides a grandfather clause allowing existing energy performance projects underway before July 1, 2005, to continue to be treated as operating expenses. Changes in the enrolled bill will require new energy performance projects above \$3.0 million to be treated as capital outlay projects.)

---

## *Governor's 2005 Reconvened Session Amendments*

### **Amendment # 30**

### **Item 4-5.01**

#### **Special Conditions and Restrictions on Expenditures**

Transactions with Individuals

Language

#### **Language:**

Page 633, strike lines 3 through 5.

Page 633, line 6, strike "3" and insert "2".

Page 633, unstrike line 48.

Page 634, unstrike line 1.

#### **Explanation:**

(This amendment restores language to allow institutions to continue the long-standing state policy of using up to 50 percent of funds designated for graduate financial aid for out-of-state students. Out-of-state graduate students contribute materially to the mission of graduate and research institutions. In a 1999 study, the State Council of Higher Education for Virginia (SCHEV) estimated that two-thirds of all graduate students remain in Virginia. This means that Virginia's colleges and universities need to have the flexibility to recruit and retain the best graduate students, including those from other states. Graduate students contribute to an institution's research mission, help bring external grants and contracts into the state, and raise the profile of the state's university system when a company is looking to locate or expand its business. This amendment leaves in place new language directing institutions to report the extent to which tuition and fee revenues are used to support graduate student aid, as well as existing Appropriation Act language which directs SCHEV to conduct a broader analysis which includes the return on investment from providing financial aid to out-of-state graduate students.)

---